

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

CELLULAR COMMUNICATIONS  
EQUIPMENT LLC,

Plaintiff,

v.

HTC Corporation, et al.,

Defendants

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Civil Action No. 6:15-cv-1155

Consolidated Lead Case

**PARTIES' JOINT STATUS REPORT**

In accordance with the Court's June 30, 2016 Order (Dkt. No. 30), AT&T Mobility LLC ("AT&T") and Acacia Research Corporation ("Acacia") provide this status update regarding Case No. 6:15-cv-1155 ("the -1155 case").

**AT&T's Statement**

As the Court noted in its Order, the -1155 case was transferred to this District solely to resolve the issues presented in AT&T's Motion to Compel against Acacia. *See* Dkt. No. 30 at 2. AT&T's Motion to Compel against Acacia generally sought two categories of documents: (1) Acacia portfolio licenses and negotiation correspondence ("Acacia documents"), and (2) documents held by Nokia Corp. ("Nokia") and Nokia Siemens Network ("NSN") (collectively, "Nokia documents"). *See* Dkt. No. 7. The Court held a hearing on the motion on April 26, 2016. *See* Case No. 6:13-cv-507, Dkt. No. 592.

1. **Acacia Documents.** As reported at the hearing, AT&T and Acacia reached an agreement regarding the scope of Acacia documents to be produced. *See id.* at 3:11-10:22. Acacia subsequently produced the documents, resolving the dispute with respect to this category of documents.

2. **Nokia Documents.** At the April 26 hearing, AT&T's local counsel provided the Court with a status of AT&T's efforts to obtain the requested discovery from Nokia and NSN, and the ongoing communications which were taking place between AT&T, Nokia, and NSN (collectively "the parties") at that time. *See id.* at 11:5-16:4. AT&T narrowed its request for Nokia documents to three basic categories: (1) A Qualcomm licensing commitment document and related exhibits, (2) agreements or other documents between the named inventor of the '820 Patent, Benoist Sebire, and Nokia/NSN, and (3) any unproduced license agreements pertaining to the '820 Patent in Nokia's custody or control. With respect to category 3, the parties agreed that Nokia's search would be based on a set of targeted criteria which was agreed upon in advance.

Subsequent to the hearing, Qualcomm produced documents relevant to category 1. Nokia/NSN's willingness to produce documents in categories 2 and 3 was conditioned upon certain restrictions and limitations (including that no defendant would seek further discovery from Nokia/NSN), to which AT&T could not agree. Nevertheless, Nokia/NSN subsequently produced documents in category 2 without the stated restrictions. However, to date, Nokia/NSN has declined to either seek or produce the documents in category 3 (*i.e.*, any remaining licenses to the asserted '820 Patent). AT&T is continuing to confer with Nokia and NSN in an attempt to resolve this issue. Nevertheless, AT&T respectfully submits that, if necessary, this remaining dispute can be raised with the Court in the lead case rather than the -1155 case.

Accordingly, AT&T submits that the -1155 case can be dismissed.

#### **Acacia's Statement**

As the Court noted in its Order, the motion was denied as moot as a result of the agreement reached between Acacia and AT&T. Acacia has produced to AT&T all documents pursuant to the agreement between Acacia and AT&T. AT&T is no longer seeking any additional documents under the April 9, 2015 subpoena issued to Acacia.

Dated: July 8, 2016

Respectfully submitted,

By: /s/ Trey Yarbrough w/ permission

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on July 8, 2016. All other counsel not deemed to have consented to service in such manner will be served via facsimile transmission and/or first class mail.

/s/ Trey Yarbrough  
Trey Yarbrough